

App. F. IX-4

Previous References

S + A 377-27-6

S + A 1-27-2

47 86/30-3194

Later References

S + A 245-36(1-10)

S + A Sep 86/28

1928.

(S + A)

File No. 189-28

Serial Nos. 3+4

General and Revenue Secretariat.

Serial Nos.

Part B for Aug: 29

SUBJECT

Rules for a second Medical Examination
of applicants for Commutation of Pensions.

Go with: 1589-90 on 29.8.29

to. The Comptroller

Mr. Subgeon

Lays down —

U.O. 10
per

87A 189-28-3.

4310
H.

of para 16.

Extract from File No. S. & A. 248 of 1928. (Re. Mr. V. S. Samba Siva. Iyer's Comm. File)

N

1) From the copy of the letter^x received by the Comptroller, placed in the file, it is evident that appeals are contemplated in respect of commutations whose value does not exceed Rs.5000/- and that also to a Medical Board in place of our Senior Surgeon. All cases above Rs.5,000/- are required to be examined by the Medical Board and no appeal is allowed after once it is rejected. If our Senior Surgeon is considered as corresponding to this Medical Board, the absence of a similar provision in our rules may perhaps have led to such claims. As regards the limit to be imposed upon, the capital value for purposes of this medical examination, we may put it out at about Rs.3,500/- all cases above this limit being required to be examined by the Senior Surgeon. The question may be taken up separately and considered.

2) As regards the present case, the Comptroller's observations appear to be reasonable and we may perhaps refer the old medical opinion to the Senior Surgeon and ask him for his definite views in the matter.

(Intld.) A. N. R.

16-3-29.

Financial Secretary's orders.

3) Was not another application for commutation preferred by Mr. V. S. Iyer sometime after the first one was rejected? The records may be traced and put up.

4) The point referred to in para 16 supra, may be taken up as a general question. The opinion of the Senior Surgeon will have to be obtained thereon. Separate file may be opened with relevant extracts and notes.

(Intld.) B. S.

20-3-29.

5. A copy of the rules (Myson Code) for the ^{Commutation} ~~Grant~~ of pensions is put up. c

b. The file may be referred to the Senior Surgeon for favour of furnishing his views on the proposed amendment of our rules in the light of the copy of letter received from the Comptroller.

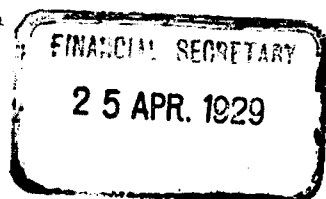
Subs.

Subs.
 7. The file may be forwarded a.o. to Sr Surgeon
 27.3.29 for remarks and opinion in the matter.
 27/3/29 (H Secy) 27.3.29

8.) Forwarded to the Senior Surgeon with
Compliments - for forming opinion as to whether in
the light of the Madras rule our only ^{obtaining} re me-
dical opinion ~~is sufficient~~ in consultation
cases requires any change.

no. 78 4310
50-1429

No: G.C. 523-1/24-4.29.



9) On the analogy of the procedure which obtains in Madras, the existing rules may be amended so as to provide for

(1) the examination of pensioners by the Senior Surgeon himself, in cases where the capitalised value is Rs 3,500 or more, as proposed in para 1 supra and

(2) the entertainment of appeals against the Medical certificates granted by the District Medical Officers and re-examination by the Senior

Serial
No.

Senior Surgeon, on terms similar to those in
Madras.

24-4-1929

S. Subbadas.
Offg. Senior Surgeon

10. Please put up draft.

h
25/4/29
AS

" Subd. with a draft order.

WP
29/4

ml

30/4/29

Fl Seay

AS

30.4.29

12. cfr Please put up

h
5/5
AS

13. What are the rules regarding
medical & ammunition in business
cases? Please obtain them and
put up - 2. both with life
inf & Public L. I.

h
21.5.29
d

14

Please see rules 18-20 of the Official Branch
rules and rules 11 & 12 of the Public Branch
rules. Subd with the rules.

Subd

4/6/29

note
24/6/29

Fl Seay

AS
5.6.29

9 or sub-

Serial
No.

15 Our rules regarding medical examination of applicants for commutation of pension do not provide for appeals against unfavourable reports by the examining medical officers. Excepting applicants drawing invalid pensions, all other persons applying for commutation are required to be examined by the District Medical Officer (~~or~~ ^a lady surgeon or assistant surgeon attached to any Government Medical Institution in the State in the case of female applicants).

16 The ^xrules in force in Madras provide for the examination of the applicants by the Standing Medical Board in cases where the capitalised value is Rs 5,000/- or more. In all other cases the applicants are generally examined by the District Medical Officers whose certificates are being countersigned by the Standing Medical Board.

17 In the latter class of cases, appeals after rejection are allowed.

18 On the representation of certain applicants here, a fresh medical examination has in consultation with the Senior Surgeon been ordered, and it is therefore necessary that provision should be made in our rules for covering such cases in future.

19 Under our rules the certificates granted by the examining Medical Officer are being countersigned by the Senior Surgeon. There is no Standing Medical Board here as in Madras. Dr. Subba Rao proposes that in cases where the capitalised value is Rs 3,500/- or more the applicants may be examined by the Senior Surgeon himself and that appeals against the Medical certificates granted by the

189 310

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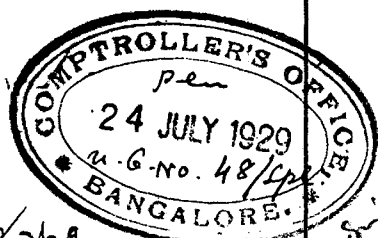
Serial
No.

the examining medical officers may be allowed, a re-examination being conducted by the Senior Surgeon himself.

20. The procedure regarding medical examination in commutation cases follows practically that in force in the State Life Insurance. In our rules commutation of pension is permissible only up to a maximum of Rs 50/- per mensem (commutation value at 55 being Rs 6,000/-) For the present, it does not appear to be necessary to ask the Senior Surgeon to take upon himself the examination in the first instance of any class of applicants for commutation. The existing provisions requiring his counter-signature in all cases and examination by a Medical Board in the case of invalid pensioners seem to be adequate. There is, besides, the power reserved to Government to call for a second medical opinion in any case and to ask the applicants to appear before a Medical Board.

21. In the circumstances I think it would be sufficient if provision is made for appeals against medical certificates granted by the District Medical Officers (or lady surgeons or assistant surgeons in the case of female applicants) on the deposit of a fee of Rs 16/-. The re-examination in such cases may be conducted by the Senior Surgeon himself. The fee may be refunded if the appeal is completely successful without any addition in years to the actual age. Following the rule in Madras, no appeal after rejection need be allowed when the medical examination is by a Board.

22 Forwarded with compliments to the Comptroller for favour of an expression of his views on the above suggestions.



23/7/29

Serial
No.

Memo. No. 107-
per 5-8-29

Returned with Compliments.

23) I agree to the suggestions
in paras 20 & 21 above. The
fee for Medical Examination by
the Senior Surgeon may perhaps
be reduced to 10 Rs. - as 15 Rs.
may be considered too high.

Out of this the amount payable
to the Senior Surgeon will have
to be paid to him in Cash. This
amount has to be fixed at 4 or
5 Rs. The balance will have to
be paid into the Treasury. If
the party succeeds in this
Medical Exⁿ, and becomes
entitled to a refund of
the medical fee paid by him,
Government will have to
bear the entire charge. I
suppose, as the Senior
Surgeon cannot be asked
to refund the amount
which he received for
conducting the Examination.

I. Shanmugam
3-8-29.

24) A revised draft order may
now be put up embodying the
above suggestion -

7-8-29
✓

Serial
No.

2066
15/8

25. A draft Co. is put up for
Consideration.

95
10.8.29

Phase revised draft.

10/8/29

27 Put up for draft.

14.8.29

28 Types draft. Subd

95
14.8.29
15/8/29

Fl Secy)

15.8.29

29 Please put up a clean draft

30

18.8.29

30. Subd with a clean draft.

95
24/8
10/8/29

Fl Secy)

23/8/29

31 In approval

1st member)

24/8

32

26.3.29

23

Co. no. H: 1589-90 dated 29th Aug. 1929
Lays down the rules for the
providing for appeals against the
opinion of the Dir-o's. on the lives of those
who apply for Commutation of Penalties

24 AUG. 1929
No. 1305

X I am sorry that the
office has sent up
a clean draft without
Company. h

2381
20/8

Serial
No.

34 Resubmitted for kind orders -.

In the G.O. that has just issued, there is one point which has to be made clear viz the examination of the lady applicant when there is an appeal against the adverse opinion of a lady Surgeon or Asst. Surgeon in ~~the~~ first examination. As the G.O. has to be published in the Gazette and has to be treated as an 'S.O.', another sentence has to be added to para 2 (ii) of the G.O. providing for her examination by a Senior Lady Medical Officer to be chosen by the Senior Surgeon.

The G.O. is Page 6

Subd

G.O.

4.9.29 35

in
applying

The following addition is proposed after Senior Surgeon in line 5 of 2 (ii), viz in the case of lady applicants, such other Senior Lady Medical Officer as the Senior Surgeon may deem fit to select in each case."

7 (Secy)

Ans

4.9.29

36. Let us not muddle with the following -

37. When a case arises we may initially modify the above -

When say the 1st & 2nd we make suitable arrangements for the examination of lady candidates

4/9
h

Press Sir

9
S. O.

Government of his highness the Maharaja of Mysore.

FINANCIAL DEPARTMENT.

G. O. No. Fl. 1589-90—S. & A. 189-28-4, dated 27—29th August 1929.

Commutation of Pensions.

Lays down Rules for a second Medical Examination of applicants for —.

READ—

Government Order No. Fl. 71-120—S. & A. 1-27-1, dated 4th July 1927, sanctioning the revival of the Scheme of Commutation of Pensions.

2. Government Order No. Fl. 9093-4—S. & A. 377-27-6, dated 1st June 1928, fixing the scale of fees payable to Medical Officers for examination of applicants for commutation of pensions.

ORDER NO. FL. 1589-90—S. & A. 189-28-4, DATED 27—29TH AUGUST 1929.

The rules prescribed for dealing with applications for commutation of pensions published with Government Order dated 4th July 1927, read above do not provide for appeals by applicants against unfavourable reports by examining Medical Officers. Excepting applicants drawing invalid pensions, in whose case examination by a Medical Board is necessary, all other persons applying for commutation are in the first instance, required to present themselves for examination before the Medical Officer of the District in which the pensioner is drawing his pension or before a Lady Surgeon or Assistant Surgeon attached to any Government Medical Institution in the State in the case of female applicant and the certificate granted by the examining Medical Officers submitted to the Senior Surgeon for countersignature.

2. Representations having been received from pensioners for an opportunity being afforded to them for a second medical examination in cases where the first report is not acceptable to them, Government are pleased to sanction the following rules for guidance in such cases:—

(i) Applicants declared ineligible on the report of the examining Medical Officer of the District or a Lady Surgeon or Assistant Surgeon in the case of female applicants, may within one month of rejection, apply to Government for a second medical examination on payment of a fee of Rs. 10 to the Treasury. No appeal however lies against the Medical opinion when the examination is conducted by a Medical Board or by the Senior Surgeon himself.

(ii) If the application is in order and is accompanied by the Treasury Chellan for payment of the fee, the connected records of the case will be sent to the Senior Surgeon and the party will be advised to present himself for examination by the Senior Surgeon at the time and place notified by him. After the examination of the applicant, the Senior Surgeon will return the record to Government with his opinion through the Comptroller.

(iii) If the appeal is fully successful, the applicant will be entitled to the refund of the deposit made by him and the fee payable to the Senior Surgeon will be borne by Government.

(iv) The fee payable to the Senior Surgeon for each examination on appeal will be Rs. 5 and it will be paid to him out of the deposit made by the applicant, the balance being credited to Government.

B. SRINIVASA IYENGAR,
*Secretary to Government,
Financial Department.*

To—The Comptroller, Mysore Government.
The Senior Surgeon in Mysore.

Exd.— C. K.

W D-736-GPB-475-18-9-29.

10

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

....

R e a d : -

G.O.No.Fl.71-120/S & A.1-27-1 dated
4th July 1927 sanctioning the revival of the
Scheme of Commutation of Pensions.

G.O.No.Fl.9093-4/S & A.377-27-6 dated
1st June 1928 fixing the scale of fees payable
to Medical Officers for examination of appli-
cants for commutation of pension.

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ORDER NO: FL: 1589-90 / 29-8-29
DATED 29 8 - 29

The rules prescribed for dealing with
applications for commutation of pension^s-
published with Government Order dated 4th
July 1927 read above do not provide for appeals
by applicants against unfavourable reports by
the examining Medical Officers. Excepting
applicants drawing invalid pensions, in whose
case, examination by a Medical Board is neces-
sary, all other persons applying for commuta-
tion are in the first instance, required to
present themselves for examination before the
Medical Officer of the District in which the
pensioner is drawing his pension ^{before} ~~for~~ a lady
Surgeon or Assistant Surgeon attached to any
Government Medical Institution in the State in
the case of female applicants, and the certi-
ficate granted by the examining Medical Officer
is submitted to the Senior Surgeon for counter-
signature.

(ii) If the application be ^{is} in order, and is
accompanied with the Treasury Chellan, ^{by} ~~for~~ ^{for} ~~the~~ ^{the} fee
connected records of the case will be sent to
the Senior Surgeon ~~himself~~ and the

To go to part 2

h

party will be advised to present himself for examination by the ~~Max~~ Senior Surgeon at the time and place notified by him. After ~~the~~ examination of the applicant, the Sanior Surgeon will return the record to Government with his opinion through the Comptroller ~~(iii)~~ ^{however} No appeal ^{the first} lies against medical opinion when the examination is conducted by a Medical Board or by the Senior Surgeon himself.

2. Representations having been received from pensioners for an opportunity being afforded to them ^{for} a second medical examination in cases where the first report is not acceptable to them, Government are pleased to ^{Sanction} permit the following ^{provisions} ^{regulating} ^{the} ~~rules~~ ^{procedures} for guidance ~~in such cases~~:-

(i) Applicants declared ineligible on the report of the examining Medical Officer of the District ^{for} ^a lady Surgeon or Assistant Surgeon in the case of female applicants ^{may} within one month of ~~such~~ rejection, apply to Government for ^a second medical examination on payment of a fee of Rs.10/- to the Treasury.

(ii) The fee payable to the Senior Surgeon for each examination ^{on appeal} will be Rs.5/- and ~~they~~ ^{it} will be paid to him out of the deposit ~~paid~~ ^{made} ~~over to the treasury~~ ^{by the applicant} being ~~the balance/credited to~~ ^{Government.} ~~being~~

(iii) If the appeal is ^{fully} ~~wholly~~ successful, the applicant will be entitled to ^{the} refund of the deposit ^{made by him} ~~from the Treasury~~ and the fee

12

3.

payable to the Sanior Surgeon will be
~~finally~~ borne by Government.

h
24/8

Financial Secretary to Govt.

AD
23/8

To

gs
24/8

The Comptroller to Government.

The Senior Surgeon in Mysore.

" Computer Mysore Gazette for
clean state, publication

Mme
26.8.29

Sue
27/8

Copy

B

Letter No.381/Pen. dated 27th February 1929 from the Comptroller in Mysore, Bangalore, to the Accountant General, Madras.

---:0:---

I have the honour to request that you will be so good as to intimate whether in British India an application for commutation of pension once rejected on medical or other grounds is allowed to be re-entertained or is considered later after the lapse of some years.

---:0:---

Letter No.Pen.Mis.6-58 dated 6th March 1929 from the Accountant-General, Madras, to the Comptroller in Mysore, Bangalore.

---:0:---

Ref - Your letter No.381/Pen. dated the 27th Feb.1929 regarding appeal after rejection in the cases of applications for commutation of pension.

I have the honour to inform you that the procedure adapted by the Madras Government as regards the Medical Examination of applicants for commutation of pension is as follows: //

- (a) In cases where the capitalised value inclusive of the amounts paid on account of previous commutations is Rs.5,000/- or more, the pensioners are directed by Government to appear for medical examination before the Standing Medical Board Madras. No appeal after rejection in such cases is allowed.
- (b) In other cases the applicants are generally examined by the District Medical Officers selected by Government and their certificates are being countersigned by the Standing Medical Board, Madras. In these cases few appeals after rejection are allowed and such applicants are re-examined by the Standing Medical Board on payment of a fee of Rs.60/- which is refunded if the appeal is completely successful without any addition in years to the actual age.

(2) The Madras Government may be addressed regarding any further information required on the subject.

(3) This office has got no information to give regarding the procedure adopted by the Government of India in such cases.

" C O P Y ".

(Sd/-) A. B. C. Samy,
Superintendent, Records Section, Comptroller's
Office.